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4   UNITED STATES DISTRICT COURT

5   NORTHERN DISTRICT OF CALIFORNIA

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7   Case No. 23-cv-03440-EKL (SVK)

8   IN RE GOOGLE GENERATIVE AI

9   COPYRIGHT LITIGATION   **SEALING ORDERS RE DISCOVERY DISPUTES**

10   Re: Dkts. 146, 150, 160, 168, 205, 207, 209

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12   Before the Court are various administrative motions to seal related to various discovery

13   disputes. The Court now issues the following two Orders.

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15   **ORDER RE DKTS. 205, 207 AND 209**

16   Before the Court are Plaintiffs' Administrative Motions to Consider Whether Another Party's

17   Material Should Be Sealed pursuant to Civil L.R. 79-5(f) in connection with three discovery

18   disputes: two presented in Joint Statements, relating to certain Requests for Admission ("RFAs")

19   and 30(b)(6) Deposition Topics propounded by Plaintiffs on Defendant Google LLC ("Google"),

20   and one presented as Motion to Enforce this Court's prior discovery orders on an expedited

21   timeframe. *See* Dkts. 205, 207, 209 (collectively, the "Motions"). Google filed statements in

22   support of sealing certain portions of the materials therein, as required by Civil L.R. 79-5. *See* Dkt.

23   220. However, Google did not file any statement in support of sealing the materials in Dkt. 209.

24   The deadline for any such statement was September 16, 2025. Having considered Defendant's

25   statements, and for good cause shown, the Court **GRANTS IN PART** and **DENIES IN PART** the

26   Motions, in accordance with Google's supporting statements, as follows:

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Document	Text to be Sealed	Basis for Sealing / Court Ruling
Parties' Joint Discovery Letter Brief Regarding Plaintiffs' Second Set of Requests for Admission (Dkt. 205-2)	Text under the first and second redactions/highlights on page 4 of ECF No. 204 / ECF No. 205-2. The last four words under the redaction/highlight on page 9 of ECF No. 204 / ECF No. 205-2. Text under the first redaction/highlight on page 10 of ECF No. 204 / ECF No. 205-2.	The redacted information contains confidential information about (1) the datasets that Google used or considered using to train Google's generative AI models, as well as their provenance; and (2) the function and operation of a filter that Google applied to the training datasets for its generative AI models, and Google represents that this information is not generally known to the public or Google's competitors. The Court agrees that public disclosure of such confidential development and research information could cause competitive harm to Google, and could also damage Google's standing with its existing and potential content partners and impact ongoing negotiations with these partners regarding the rights and terms governing the use of various materials in Google's operations. Accordingly, the Court **GRANTS IN PART** the Motions; the identified portions of Dkt. 205-2 shall remain **SEALED.** The other portions of Dkt. 205-2 redacted by Plaintiff, *i.e.*, pages 3, 6, 8, the first 5 words under the redaction/highlight on page 9, and the second redaction/highlight on page 10 shall be **UNSEALED**. The Motions are **DENIED** as to these portions.
Google LLC'S Responses and Objections to Plaintiffs' Second Set of Requests for Admission (Dkt. 205-3)	None	Google's statement in support of sealing does not seek to maintain this document under seal. Accordingly, the Motions are **DENIED** and Dkt. 205-3 shall be **UNSEALED**.
Parties' Joint Discovery Letter Brief Regarding Rule 30(b)(6) Deposition Timing and Scope (Dkt. 207-2)	Text under the second redaction/highlight on page 3 of ECF No. 206 / ECF No. 207-2.	The redacted information contains confidential information about the function and operation of a filter that Google applied to the training datasets for its generative AI models. Google represents that this information is not generally known to the public or Google's competitors. The Court

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Document	Text to be Sealed	Basis for Sealing / Court Ruling
		agrees that public disclosure of such confidential development and research information could cause competitive harm to Google. Accordingly, the Court **GRANTS IN PART** the Motions; the identified portions of Dkt. 207-2 shall remain **SEALED.** The other portions of Dkt. 207-2 redacted by Plaintiff, *i.e.*, the first redaction/highlight on page 3, shall be **UNSEALED**. The Motions are **DENIED** as to these portions.
Exhibit A to Parties' Joint Discovery Letter Brief Regarding Rule 30(b)(6) Deposition Timing and Scope Plaintiffs' Second Amended Notice of 30(b)6) Deposition (Dkt. 207-3)	4:26-27 5:5-6 6:28-7:2	The redacted information contains confidential information about the datasets that Google used or considered using to train Google's generative AI models, as well as their provenance, and Google represents that this information is not generally known to the public or Google's competitors. The Court agrees that public disclosure of such confidential development and research information could cause competitive harm to Google, and could also damage Google's standing with its existing and potential content partners and impact ongoing negotiations with these partners regarding the rights and terms governing the use of various materials in Google's operations. Accordingly, the Court **GRANTS IN PART** the Motions; the identified portions of Dkt. 207-3 shall remain **SEALED.** The Motions are **DENIED** as to the remainder of Dkt. 207-3.
Exhibit B to Parties' Joint Discovery Letter Brief Regarding Rule 30(b)(6) Deposition Timing and Scope Google's Responses and Objections to Plaintiffs'	5:27-28 6:5-6 6:22-24 7:17-18	The redacted information contains confidential information about the datasets that Google used or considered using to train Google's generative AI models, as well as their provenance and Google represents that this information is not generally known to the public or Google's competitors. The Court agrees that public disclosure of such

Document	Text to be Sealed	Basis for Sealing / Court Ruling
Second Amended Notice of 30(b)(6) Deposition (Dkt. 207-4)	11:24-26 12:15-17 13:8-9	confidential development and research information could cause competitive harm to Google, and could also damage Google's standing with its existing and potential content partners and impact ongoing negotiations with these partners regarding the rights and terms governing the use of various materials in Google's operations. Accordingly, the Court **GRANTS IN PART** the Motions; the identified portions of Dkt. 207-4 shall remain **SEALED.** The Motions are **DENIED** as to the remainder of Dkt. 207-4.
Exhibit C to Parties' Joint Discovery Letter Brief Regarding Rule 30(b)(6) Deposition Timing and Scope Joint Chart re Topic 4 Testimony (Dkt. 207-5)	Text under the redactions/highlights on page 1 of ECF No. 206-3 / ECF No. 207-5. Text under the second redactions/highlights on page 3 of ECF No. 206-3 / ECF No. 207-5. Text under the redactions/highlights on page 4 of ECF No. 206-3 / ECF No. 207-5.	The redacted information contains confidential information about the datasets that Google used or considered using to train Google's generative AI models, as well as their provenance and Google represents that this information is not generally known to the public or Google's competitors. The Court agrees that public disclosure of such confidential development and research information could cause competitive harm to Google, and could also damage Google's standing with its existing and potential content partners and impact ongoing negotiations with these partners regarding the rights and terms governing the use of various materials in Google's operations. Accordingly, the Court **GRANTS IN PART** the Motions; the identified portions of Dkt. 207-5 shall remain **SEALED.** The other portions of Dkt. 207-5 redacted by Plaintiff, *i.e.*, the redaction/highlight on page 2 and the first redaction/highlight (in the first column) on page 3, shall be **UNSEALED.** The Motions are **DENIED** as to these portions.
Exhibit D to Parties' Joint Discovery Letter Brief Regarding Rule 30(b)(6) Deposition	172:5-18 174:1-8	The redacted information contains confidential information about the datasets that Google used or considered using to train Google's generative AI models, as well as

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Document	Text to be Sealed	Basis for Sealing / Court Ruling
Timing and Scope Excerpts of Liechty 30(b)(6) Deposition Transcript (Dkt. 207-6)	243:1-244:22	their provenance and Google represents that this information is not generally known to the public or Google's competitors. The Court agrees that public disclosure of such confidential development and research information could cause competitive harm to Google, and could also damage Google's standing with its existing and potential content partners and impact ongoing negotiations with these partners regarding the rights and terms governing the use of various materials in Google's operations. Accordingly, the Court **GRANTS IN PART** the Motions; the identified portions of Dkt. 207-6 shall remain **SEALED.** The Motions are **DENIED** as to the remainder of Dkt. 207-6.
Motion to Enforce Court Order and Appoint a Special Master (Dkt. 209-2)	**DENIED.**	Plaintiffs' administrative motion sought to seal only Google's confidential information. *See* Dkt. 209 at 2-3. As of the deadline, Google has not filed a statement in support of sealing these materials. Accordingly, pursuant to Civil L.R. 79-5(f)(3), the Court **DENIES** the motion and orders these materials **UNSEALED**.
Declaration of Stephen Teti in support of the Motion to Enforce (Dkt. 209-3)	**DENIED.**	*See* Dkt. 209-2, above.
Declaration of Meredith McCarron in support of the Motion to Enforce (Dkt. 209-4)	**DENIED.**	*See* Dkt. 209-2, above.

The Clerk of Court shall maintain Dkts. 205-2, 207-3, 207-4, 207-5 and 207-6 under seal.

The Clerk of Court shall **UNSEAL** Dkts. 205-3, 209-2, 209-3 and 209-4. **No later than October 2, 2025**, Google **SHALL** file a notice attaching updated redacted copies of the sealed documents, Dkts. 205-2, 207-2, on the public docket, narrowing the redactions to only those identified above.

SO ORDERED.

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ORDER RE DKTS. 145, 146, 150, 160, 168

Separately, it has come to the Court's attention that administrative motions to seal relating to prior discovery disputes remain unresolved by this Court. *See* Dkts. 145, 146, 150, 160, 168. The Court determines that the just and efficient determination of these motions would be aided by an additional submission from the Parties, as follows:

The Parties shall file a **joint** summary chart collecting the following information:

- **Documents:** all documents implicated by any of Dkts. 145, 146, 150, 160, 168, with a citation to each document's redacted (public) version and sealed version;

- **Portions Sought to be Sealed:** for each document:
  - if any Party desires to maintain it under seal, the portions thereof the Party proposes to seal/redact;
  - if the Party no desires to maintain it under seal, a statement that the document may be unsealed;

    OR
  - if the document was not relied on by the Court in any of its Orders resolving the discovery disputes, (Dkts. 148, 155, 165 and 172), the Parties **may** agree to withdraw the document.

- **Argument in Support of Sealing:** A concise summary of the relevant Party's argument in support of sealing, including the type of information (business, trade secrets, legal, etc.) revealed by the excerpts and how harm would result from public disclosure of such information.

- **Opposition:** An argument from a Party (if any) that opposes sealing of the document and/or excerpts. If no Party opposes, a statement of non-opposition.

The Parties shall file this statement **no later than October 9, 2025**.

SO ORDERED

Dated: September 18, 2025

SUSAN VAN KEULEN
United States Magistrate Judge

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